

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
CRIMINAL WRIT PETITION NO.704 OF 2005

Bhagwan Shankarrao Biranje & Anr. Petitioners
Vs.
The Inspector-in-charge,
Shivaji Nagar Police Station,
Ichalkaranji, Dist: Kolhapur
& Ors. Respondents

Shri Ganesh Gole for the Petitioners.

Shri I.S. Thakur, A.P.P., for the Respondents.

CORAM: R.M.S. KHANDEPARKAR &
P.V. KAKADE, JJ.

DATED: APRIL 28, 2005

P.C:

Heard the learned Advocates for the parties.
Considering the law being well-settled on the point
sought to be raised in the matter, there is no need of
further adjudication regarding the said issue and
suffice to direct the respondents that in case they find
any act on the part of the petitioners in violation of
any provisions of the Bombay Police Act, the respondents
have to take steps in accordance with the provisions of
law and with necessary prior notice in writing in that
regard to the petitioners. No police constable is
entitled to merely visit the premises of the petitioners
and to threaten the petitioners in the manner alleged in
the affidavit filed by the Chairman of the Enjoy Krida

and Sanskrutik Mandal on 25-4-2005. Besides, whenever any police personnel visits such premises, necessary record in that regard should be maintained in the station diary but in any case no such oral notices should be issued to the petitioners and whatever action if is decided to be taken by the respondents against the petitioners, same should be in accordance with the provisions of law, with prior written notice. With these observations and the respondents being directed to comply with these observations in accordance with the provisions of law, the petition is disposed of.

(R.M.S. Khandeparkar, J.)

(P.V. Kakade, J.)